

Amendments to Senate Bill No. 110
1st Reading Copy

Requested by Senator Rick Laible

For the Senate Local Government Committee

Prepared by Leanne Heisel
February 7, 2007 (10:15am)

1. Title, line 21.

Following: "70-23-301,"

Insert: "76-1-103,"

2. Title, line 22.

Strike: "76-2-228,"

3. Title, line 23.

Strike: "76-2-328,"

4. Title, line 24.

Following: "MCA"

Insert: "; REPEALING SECTION 76-3-210, MCA; AND PROVIDING AN
IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE"

5. Page 3.

Following: line 24

Insert: "Section 5. Section 76-1-103, MCA, is amended to read:

"76-1-103. **Definitions.** As used in this chapter, the
following definitions apply:

(1) "City" includes incorporated cities and towns.

(2) "City council" means the chief legislative body of a
city or incorporated town.

(3) "Governing body" or "governing bodies" means the
governing body of any governmental unit represented on a planning
board.

(4) "Growth policy" means ~~a comprehensive development plan,
master plan, or comprehensive plan that was adopted pursuant to
this chapter before October 1, 1999, or a policy that was adopted
pursuant to this chapter on or after October 1, 1999.~~

(5) "Mayor" means mayor of a city.

(6) "Neighborhood plan" means a plan for a geographic area
within the boundaries of the jurisdictional area that addresses
one or more of the elements of the growth policy in more detail.

(7) "Person" means any individual, firm, or corporation.

(8) "Planning board" means a city planning board, a county
planning board, or a joint city-county planning board.

(9) "Plat" means a subdivision of land into lots, streets,
and areas, marked on a map or plan, and includes replats or
amended plats.

(10) "Public place" means any tract owned by the state or its subdivisions.

(11) "Streets" includes streets, avenues, boulevards, roads, lanes, alleys, and all public ways.

(12) "Utility" means any facility used in rendering service that the public has a right to demand."

{Internal References to 76-1-103:
x7-15-4295}"

Renumber: subsequent sections

6. Page 5, lines 20 and 21.

Following: "be published"

Strike: "in" on line 20 through "hearing" on line 21

Insert: "in accordance with 7-1-2121"

7. Page 5, line 26.

Strike: "resident"

8. Page 6, line 3.

Strike: "of the proposed district"

9. Page 7, line 4.

Following: "A"

Insert: "knowing, negligent, or purposeful"

10. Page 7, lines 6 and 7.

Strike: "The" on line 6 through "45-2-104." on line 7

11. Page 7, line 9.

Following: "violation."

Insert: "A governing body may not assess a fine for any period of time prior to the violator being given notice in writing of the violation."

12. Page 8, line 27.

Following: "fire"

Strike: ", panic,"

13. Page 11, line 12.

Following: "A"

Insert: "knowing, negligent, or purposeful"

14. Page 11, lines 14 and 15.

Strike: "The" on line 14 through "45-2-104." on line 15

15. Page 11, line 17.

Following: "violation."

Insert: "A governing body may not assess a fine for any period of time prior to the violator being given notice in writing of the violation."

16. Page 11, line 19 through line 22.

Strike: section 20 in its entirety

Renumber: subsequent sections

17. Page 13, line 9.

Following: "fire"

Strike: ", panic,"

18. Page 14, line 2.

Following: "A"

Insert: "knowing, negligent, or purposeful"

19. Page 14, lines 5 and 6.

Strike: "The" on line 5 through "45-2-104." on line 6

20. Page 14, line 9.

Following: "violation."

Insert: "A city or town council or other legislative body may not
assess a fine for any period of time prior to the violator
being given notice in writing of the violation."

21. Page 14, lines 11 through 14.

Strike: section 25 in its entirety

Renumber: subsequent sections

22. Page 15, lines 9 and 10.

Strike: "exempt" on line 9 through "of" on line 10

Insert: "not subdivisions under"

Following: "chapter"

Strike: "┐"

Following: "but"

Insert: "but"

23. Page 15, line 11.

Strike: "not amounting to"

Insert: "other than"

Following: "subdivisions"

Strike: "┐"

24. Page 15, line 25.

Strike: "will show"

Insert: "shows"

25. Page 15, line 26.

Strike: "expunged"

Insert: "eliminated"

Strike: "will be depicted"

Insert: "are established"

26. Page 16, line 4.
Strike: "review under parts 5 and 6"
Insert: "the provisions"
27. Page 17, line 15.
Strike: "76-3-210,"
28. Page 23, line 7.
Strike: "adverse impacts"
Insert: "the impact"
29. Page 23, line 8.
Strike: "use"
Insert: "user"
30. Page 25, line 9.
Following: "hearing"
Insert: "or a subsequent public hearing under 76-3-615"
31. Page 26, lines 11 and 12.
Following: "information presented" on line 11
Insert: "at that public hearing or meeting"
Strike: "has" on line 11 through "agency" on line 12
Insert: "is new information"
32. Page 26, line 13.
Strike: "as" through "(3)"
Insert: "that has never before been presented to or considered by
the governing body or its authorized agent or agency"
33. Page 26, line 14.
Following: "information"
Insert: "is new information as"
34. Page 26, line 15.
Strike: "is new information"
35. Page 28.
Following: line 6
Insert: "NEW SECTION. Section 37. {standard} Repealer.
Section 76-3-210, MCA, is repealed.
{Internal References to 76-3-210: a76-3-504}"
36. Page 28, lines 8 and 9.
Strike: "13" in both places
Insert: "14" in both places
37. Page 28.
Following: line 9
Insert: "NEW SECTION. Section 39. {standard} Effective date -

- **applicability.** [This act] is effective on passage and approval and applies on or after October 1, 2008."

- END -